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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Company Affairs)

NOTIFICATION

New Delhi, the 9th June 1975

G.S.R. 327(E).—In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) of section 642 of the Companies Act, 1956 (1 of 1956) and all other powers hereunto enabling, the Central Government hereby makes the following rules further to amend the Companies (Central Government's) General Rules and Forms, 1956, namely:—

1. These rules may be called the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 1975.

2. In Annexure 'A' to the Companies (Central Government's) General Rules and Forms, 1956,—

(i) Form No. 23-A shall be renumbered as Form No. 23-AA and before the Form as so renumbered the following Form shall be inserted, namely:—

FORM No. 23-A

Registration No. of company.....

Nominal Capital Rs.....

Paid-up Capital Rs.....

THE COMPANIES ACT, 1956

Form of application to the Central Government for obtaining the previous approval for appointment/continuance of former managing agent or secretaries and treasurers, pursuant to Section 204*A* (1)

1. (a) Name of Company.

(b) Address of its registered office;

(c) Address of the principal office if it is other than the registered office;

(d) Branches at .....

2. (a) Management structure (full list of directors/Managing Directors/Manager/ Secretary with particulars of other directorships, if any, held by them).

(b) Details of the existing Capital Structure.

(c) Turnover (for each of the last three financial years).

(d) Net profits (for each of the last three financial years).

3. (a) The proposal for which Central Government's approval is sought including particulars of remuneration payable and the reasons therefor.

(b) In case of appointment existing as on the date of commencement of the Companies (Amendment) Act, 1974, particulars of remuneration payable as on the said date.

4. If the proposal is for appointment of former managing agents or secretaries and treasurers,—

(i) name and status (whether individual, firm or body corporate) of the former managing agents or secretaries and treasurers of the company and business being carried on by them.

(ii) (a) In the case of a body corporate, name of the directors (including managing directors and wholetime directors, if any).

(b) in the case of a firm, names of partners.

5. Particulars of remuneration paid to managing agents or secretaries and treasurers during the last year of appointment as such under the company and copy of relevant approval of the Central Government for the said remuneration.

6. If the proposal is for appointment of an associate of former managing agents or secretaries and treasurers,

(a) name and status of such associate and business carried on by the said associate.

(b) (i) In case of body corporate, name of the directors (including managing director and wholetime directors, if any).

(ii) In case of firm, names of partners:

(c) the date since when the relationship of associate to the managing agents or secretaries and treasurers existed (bringing out the nature of the association).

7. Name of the office *i.e.* consultant, adviser, etc.

8 Nature of services to be rendered and justification for such appointment or continuance.

9. Age, qualifications and experience.

10. Has the proposal been approved by the company in general meeting; if so, one copy of the resolution passed should be furnished.

11. Declaration.

I/we solemnly declare that facts stated in this application are true to the best of my/ our knowledge, information and belief.

Dated ..... Signature.....

day of 19 . Designation.....

(ii) after Form No. 24, the following Forms shall be inserted, namely:—

FORM No. 24-A

Registration No. of company.....

Nominal Capital Rs. .....

Paid-up capital Rs.....

THE COMPANIES ACT, 1956

Form of application to the Central Government for obtaining the previous approval for entering into contracts with the company for the sale, purchase or supply of any goods materials or services, pursuant to proviso to section 297(1)

1. (a) Name of Company.

(b) Address of its registered Office:

(c) Address of the principal office if it is other than the registered office:

(d) Branches at.....

2. (a) Management structure (full list of directors/Managing Directors/Manager/Secretary with particulars of other directorships, if any, held by them).

(b) Details of the existing Capital Structure:

(c) Turnover (for each of the last three financial years).

(d) Net profits (for each of last three financial years).

3. (a) The proposal for which Central Government's approval is sought and the reasons therefor.

(b) Particulars of the contract to be entered into (copy of agreement, if any, to be furnished).

(c) Whether the terms of contract conform to prevailing market rates.

4. Whether the company has entered into any contract with any other person in respect of sale, purchase, or supply of the same kind of goods, materials or services and whether the terms of such contract is similar to the terms of the proposed contract(s). Reasons for variation in rates, if any, should be indicated.

5. Whether the proposed contract(s) has/have been approved by the Board of Directors; if so, a copy of the resolution passed should be attached.

6. Declaration

I/we solemnly declare that the facts stated in this application are true to the best of my/our knowledge, information and belief.

Dated Signature.....

day of 19 . Designation.....

FORM No. 24-B

Registration No. of company.....

Nominal Capital Rs. .....

Paid-up Capital Rs. .....

THE COMPANIES ACT, 1956

Form of application to the Central Government for obtaining prior consent for the holding by certain persons, of any office or place of, profit in a company, pursuant to Section 314(1B)

1. (a) Name of Company.

(b) Address of its registered office:

(c) Address of the principal office if it is other than the registered office;

(d) Branches at .....

2. (a) Management structure (full list of directors/Managing Directors/Manager/Secretarry with particulars of other directorships, if any, held by them).

(b) Details of the existing capital structure.

(c) Turnover (for each of the last three financial years).

(d) Net profits (for each of last three financial years):

3. (a) The proposal for which the Central Government's approval is sought.

(b) Terms of appointment/proposed appointment including the remuneration payable (Remuneration to include salary, commission, perquisites, etc.).

(c) Relationship to any director or manager, and the name of the interested director/manager.

(d) Nature of services to be rendered.

(e) In case of an appointment existing on the commencement of the Companies (Amendment) Act 1974, the date since when the office has been held and the rate of remuneration during a period of the last three years.

(f) Age, Qualifications and experience of the person proposed to be appointed.

4. If the proposal is for appointment to any office or place of profit—

(a) of a private company, names of the directors including managing or wholetime director or manager as the case may be, of such company.

(b) of a partnership firm, the names of partners thereof.

5. The extent of benefits accruing to the directors, manager or relatives of such directors/manager as the case may be, of the applicant company if the person is appointed.

6. Number of other employees who are in receipt of not less than three thousand rupees together with the following particulars:—

(a) Designation and/or nature of employment of the employee

(b) Remuneration received.

(c) Date of commencement of employment.

(d) Relationship, if any, with director(s).

7. Whether any relative of the employee/proposed employee is in receipt of monthly remuneration and if so, the amount thereof.

8. Whether the proposal has been approved by the company in General Meeting; if so, one copy of the resolution passed should be furnished.

9. Declaration

I/we solemnly declare that facts stated in this application are true to the best of my/our knowledge, information and belief.

Dated ..... Signature .....

day of ..... 19 Designation .....

[No. F. 5/1/75-CL-V]

P. B. MENON, Jt. Secy.

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